



Crl.O.P.(MD) No.12467 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 11.07.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

CRL.O.P (MD) No.12467 of 2022

Karthik @ E.S.Karthick

...Petitioners

Vs

1.The Deputy Superintendent of Police,
Thenkasi,
Thenkasi District.

2.The Inspector of Police,
Courtallam Police Station,
Thenkasi District.
(Crime No.175 of 2022)

3.Karthi @ Selva

... Respondents

PRAYER: Criminal Original Petition filed under Section 482 of Cr.P.C, praying to direct the learned Additional District Court No.II (Special Court for Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli to accept the surrender of the Petitioner/Accused No.1 and to consider his bail application and grant bail on the date of surrender itself in Crime No.175 of 2022 dated 04.05.2022.



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For Petitioners : Mr.B.Ramanathan
For R-1 and R-2 : Mr.A.Albert James,
Government Advocate,
(Criminal Side).

ORDER

This Criminal Original Petition has been filed for a direction to direct the learned Additional District Court No.II, Special Court for Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli to accept the surrender of the Petitioner/Accused No.1 and to consider his bail application and grant bail on the date of surrender itself in Crime No. 175 of 2022 dated 04.05.2022.

2. In view of the specific bar under Section 18 of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and also taking into consideration the possibility of misusing the pious intention of the Parliament against innocent persons, there shall be a direction to the learned Additional District Court No.II, Special Court for Scheduled Castes/ Scheduled Tribes (Prevention of Atrocities) Act, 1989, Tirunelveli, to consider the petitioner's bail application, preferably on the same day of his surrender in connection with Crime No.175 of 2022 dated 04.05.2022 on



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the file of the second respondent and pass appropriate orders, in accordance with law, after affording due opportunity to the victim under Section 15(a) of the SC/ST Act. The petitioner shall surrender before the concerned jurisdictional Court, within a period of fifteen days, from the date of the receipt of a copy of this Order.

3. It is needless to say that the Court below while disposing the bail petition shall look into the gravity of the offence, previous antecedents of the petitioner and pass orders. Mere direction issued by this Court to consider the bail petition on the same day, does not amount to consider it favourably.

4. With the above direction, this Criminal Original Petition is allowed.

11.07.2022

Internet: Yes./No

Index: Yes/no

Nsr

Note: Issue order copy on 12.07.2022

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To

- 1.The Additional District Court No.II
Special Court for Scheduled Castes/ Scheduled Tribes
(Prevention of Atrocities),
Tirunelveli.
- 2.The Deputy Superintendent of Police,
Thenkasi,
Thenkasi District.
- 3.The Inspector of Police,
Courtallam Police Station,
Thenkasi District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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V.SIVAGNANAM, J.

Nsr

ORDER IN
CRL.O.P (MD) No.12467 of 2022

11.07.2022